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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,017	12/10/2001	Harald Berger	112740-366	2059

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BELL, BOYD & LLOYD, LLC  
P. O. BOX 1135  
CHICAGO, IL 60690-1135

EXAMINER
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BARNIE, REXFORD N

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/015,017	<b>Applicant(s)</b> BERGER, HARALD	
	<b>Examiner</b> REXFORD N BARNIE	<b>Art Unit</b> 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on 10 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☐ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*R. Barnie*  
**REXFORD BARNIE**  
**PRIMARY EXAMINER**

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>01/05/04</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Karppinen (US Pat# 5,920,619).

Regarding claim 1, Karppinen teaches a regional centrex comprising of a team configuration which enables users forming groups to communicate with each other using numbers including subnumbers in (see col. 2 line 40-59, col. 3).

Regarding claim 2, the combination teaches assigning subnumbers independent of a directory number.

Regarding claim 6, Karppinen teaches software, which inherently allows team call to be completed.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Siegmund et al. (US Pat# 6,181,789).

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Regarding claim 1, Siegmund teaches a telecommunication system and processor means and method wherein users could have a contact identifier (virtual identifier) to be reaches by a plurality of networks in (see col. 2, cols. 5-9, and fig ).

Claims 1, 2, 4, 6 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Wille (US '058 or '954 or '283).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Regarding claims 1-2 and 6, Wille teaches a communication system of at least twp private branch exchanges having a team function controller, which enable users to communicate with each other in (see disclosure).

Regarding claims 4 , Wille '058 teaches the claimed subject in the abstract.

Regarding claim 13, Wille teaches team call connection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5 and 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karpinen or Wille.

Regarding claims 3, 5 and 7-12, Karpinen or Wille fails to teach in detail the makeup of the telephone devices. The examiner takes official notice that it's well known for instance in key telephones to have functional keys for various extensions, end button and also the ability to receive status information other terminals in a text form. Also, video-conferencing is known.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate any well known phones with the claimed limitations for its flexibility/efficiency to communicate with users given the fact that team calls would have to be performed using some kind of input means.

Regarding claim 5, it's known to update routing resources or call completion resources when a network element fails and when back to normal, using the norm.

Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karppinen or Wille in view of Wille et al. (US pat# 5,638,432).

Regarding claim 14, Karppinen teaches a team configuration but to teach in detail the elements associated with a telephone terminal.

Wille et al. teaches a method of setting up telecommunication connections in (see figs and disclosure) with interfaces, a controller and so forth

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Wille into that of the primary

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references thus making it possible to communicate with other devices either internally or externally for communication purposes.

Regarding claims 15-16, see the explanation as set forth regarding claim 14.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **REXFORD N BARNIE** whose telephone number is (703)306-2744. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER  
REXFORD BARNIE  
01/05/05

  
REXFORD BARNIE  
PRIMARY EXAMINER